

Legislator University

Anatomy of a Bill
December 3, 2020





Training Topics

Discussion of:

- ❖ Types of bills
- ❖ House Rules & Policies
- ❖ Component parts of a bill
- ❖ Statutory structure
- ❖ Constitutional requirements
- ❖ Language of Bill Drafting
- ❖ Amendments



Types of Member Bills

- ❖ General bills
- ❖ Local bills
- ❖ Claim bills
- ❖ Repealer bills



Resolutions & Memorials

- ❖ Joint resolutions
- ❖ Concurrent Resolutions
- ❖ Substantive House Resolutions
- ❖ Ceremonial Resolutions
- ❖ Memorials



Budget Bills

- ❖ Appropriations bill/General Appropriations Act (GAA)
- ❖ Implementing bill
- ❖ Conforming bills
- ❖ Appropriations Projects bills



Appropriations Project Bills

- ❖ An Appropriations Project Bill is a bill proposing funding for an appropriations project which:
 - Must be filed by a Member of the House as a stand-alone bill
 - Must be accompanied by an Appropriations Project Request Form containing detailed information about the project
 - Requires attestation form to be completed and submitted to Public Integrity & Elections Committee before it can be noticed and heard in a committee or subcommittee



Proposed Committee Bills (PCB)

- ❖ Committees and subcommittees must have Speaker approval to propose bills
- ❖ Once filed, PCBs are numbered in the 7000-series and are treated like any other bill
- ❖ PCBs must be available to the public at the time of noticing the meeting (on the House website and Leagis)



Numbering of Bills

- ❖ **0001 – 1999** – General Bills (GB), Local Bills (LB), Joint Resolutions (HJR), Concurrent Resolutions (HCR), Memorials (HM)
- ❖ **2001 – 4999** – Appropriation Project Bills (APB)
- ❖ **5001 – 5999** – General Appropriation Act, Implementing & Conforming Budget Bills
- ❖ **6001 – 6499** – Repealer Bills
- ❖ **6501 – 6999** – General & Local Claim Bills (GCB & LCB)
- ❖ **7001 – 7999** – Proposed Committee Bills (PCB)
- ❖ **8001 – 8999** – Ceremonial Resolutions (HR)
- ❖ **9001 – 9999** – Appropriation Project Bill (APB), if needed.



Companion Bills

- ❖ In order to pass the Legislature, a single bill must pass both the House and Senate
- ❖ Substantially similar in wording and identical as to specific intent and purpose
- ❖ Identical, Similar, or Compare
- ❖ Avoid crossing bills



Bill Filing Limit

❖ House Rule 5.3 — seven bill limit

❖ **Exceptions:**

- Local bills
- Ceremonial House Resolutions
- Memorials
- Repealer bills
- Claim bills
- Appropriation Project bills
- Adhering Bills



2021 Regular Session

Member Bill Deadlines

- ❖ **Bill Request Deadline**
- ❖ **Bill Filing Deadline**
 - Early File Bills vs. Final File Bills



2021 Regular Session

Deadlines for First Two Bills

- ❖ **January 19, 2021** – Early Member *bill request submission deadline* for at least 2 of the 7 bills (5 p.m.)
- ❖ **January 29, 2021** – Early Member *bill filing deadline* for at least 2 of the 7 bills (12 Noon)



2021 Regular Session

Deadlines for Remainder of Bills

- ❖ **January 29, 2021** – Final Member *bill request submission deadline* for the other 5 bills (5 p.m.)
- ❖ **March 2, 2021** – Final Member *bill filing deadline*.
(12 Noon)



2021 Regular Session

Other Deadlines

- ❖ Appropriations Project Bill Forms Submitted to fiscal staff:
 - **February 2, 2021 (5 p.m.)**
- ❖ Ceremonial Resolutions Request Deadline:
 - **April 1, 2021 (5 p.m.)**
- ❖ Ceremonial Resolutions Filing Deadline:
 - **April 15, 2021**



The Parts of a Bill

CS/HB 619

2018

1 A bill to be entitled
2 An act relating to the renaming of Florida College
3 System institutions; amending s. 1000.21, F.S.;
4 changing the name of "Florida Keys Community College"
5 to "The College of the Florida Keys"; changing the
6 name of "North Florida Community College" to "North
7 Florida College; providing an effective date.
8
9 Be It Enacted by the Legislature of the State of Florida:
10
11 Section 1. Paragraphs (h) and (p) of subsection (3) of
12 section 1000.21, Florida Statutes, are amended to read:
13 1000.21 Systemwide definitions.—As used in the Florida K-
14 20 Education Code:
15 (3) "Florida College System institution" except as
16 otherwise specifically provided, includes all of the following
17 public postsecondary educational institutions in the Florida
18 College System and any branch campuses, centers, or other
19 affiliates of the institution:
20 (h) The College of the Florida Keys Community College,
21 which serves Monroe County.
22 (p) North Florida ~~Community~~ College, which serves
23 Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor
24 Counties.
25 Section 2. This act shall take effect July 1, 2018.

❖ CS

Year

❖ Relating to Clause

❖ Title

❖ Enacting Clause

❖ Directory

❖ Coding

❖ Effective Date



Statutory Structure

Section

(1) Subsection

(a) Paragraph

1. Subparagraph

a. Sub-subparagraph

(I) Sub-sub-subparagraph

(II) Sub-sub-subparagraph

(A) Sub-sub-sub-subparagraph

(B) Sub-sub-sub-subparagraph

b. Sub-subparagraph

2. Subparagraph

(b) Paragraph

(2) Subsection



Constitutional Requirements for Bills

Article III, Section 6

powers, except the power to punish, may be conferred by law upon committees when the legislature is not in session. Punishment of contempt of an interim legislative committee shall be by judicial proceedings as prescribed by law.

SECTION 6. Laws.—Every law shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title. No law shall be revised or amended by reference to its title only. Laws to revise or amend shall set out in full the revised or amended act, section, subsection or paragraph of a subsection. The enacting clause of every law shall read: "Be It Enacted by the Legislature of the State of Florida:".

SECTION 7. Passage of bills.—Any bill may originate in either house and after passage in one house may be amended in the other. It shall be read in each house on three separate days, unless this rule is waived by a two-thirds vote of each house.

CONSTITUTION
OF THE
STATE OF FLORIDA

REVISED IN 1968 AND SUBSEQUENT



Constitutional Requirements for Bills: Single Subject

Article III, Section 6

powers, except the power to punish, may be conferred by law upon committees when the legislature is not in session. Punishment of contempt of an interim legislative committee shall be by judicial proceedings as prescribed by law.

SECTION 6. Laws.—Every law shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title. No law shall be revised or amended by reference to its title only. Laws to revise or amend shall set out in full the revised or amended act, section, subsection or paragraph of a subsection. The enacting clause of every law shall read: "Be it enacted by the Legislature of the State of Florida that"

**“Every law shall embrace but one
subject and matter properly
connected therewith”**



Constitutional Requirements for Bills: Titles

Article III, Section 6

...powers, except the power to punish, may be conferred by law upon committees when the legislature is not in session. Punishment of contempt of an interim legislative committee shall be by judicial proceedings as prescribed by law.

SECTION 6. Laws.—Every law shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title. No law shall be revised or amended by reference to its title only. Laws to revise or amend shall set out in full the revised or amended act, section, subsection or paragraph of a subsection. The enacting clause of every law shall read: “Be It Enacted by the Legislature of the State of Florida:”.

“and the subject shall be briefly
expressed in the title”



Constitutional Requirements for Bills: “Relating to . . .” Clause

- ❖ HBD will draft relating to clauses narrowly
- ❖ To determine single subject, courts begin with the bill’s title
- ❖ Courts look to the general subject of the bill found in its “*relating to . . .*” clause:

A bill to be entitled

An act relating to correction of errors in deeds;
creating s. 694.18, F.S.; providing definitions;



Constitutional Requirements for Bills: Art. VII, Section 19 Florida Constitution

- ❖ Any legislative proposal to create or increase a state tax or fee must:
 - Pass with a supermajority vote (2/3)
 - Be in a separate bill that contains no other subject
 - This separate bill counts against your seven bill limit



Language of Bill Drafting

- ❖ *May* grants discretion or authority to act
- ❖ *Shall* imposes a duty to act
- ❖ *Must* imposes a duty when the required act is a condition precedent to the granting of a right, authority, or entitlement
- ❖ *May not* prohibits an action
 - *May not* is a stronger prohibition than *shall not*



Amendments

- ❖ Floor amendments vs. committee/subcommittee amendments
- ❖ Strike-all amendment or several small amendments?
 - No stacked or compound amendments
- ❖ Germanity (House Rule 12.8)
- ❖ Deadlines



Amendment Deadlines in Committee

For non-committee members

6 PM

Of the day before committee meeting

- ❖ Interim Committee Meetings & First 45 days of Session--excludes Saturdays, Sundays, and holidays
- ❖ After 45th day of Session--includes Saturdays, Sundays, and holidays



Amendment Deadlines: Floor Amendments

BILLS ON SPECIAL ORDER CALENDAR: First 55 days

❖ Main Floor Amendments:

- **Submission Deadline:** Amendment request submitted to HBD by 3 p.m. on first day the bill appears on the Special Order Calendar
- **Filing Deadline:** Member approves for filing (in Leagis) by 4 p.m.

❖ Adhering Amendments:

- **Submission Deadline:** Amendment request submitted to HBD by 6:30 p.m.
- **Filing Deadline:** Member approves for filing (in Leagis) by 7 p.m.



Amendment Deadlines: Floor Amendments

BILLS ON THIRD READING

Submission Deadline: Amendments must be submitted in Leagis to HBD at least 1 hour before filing deadline

Filing Deadline: Amendments must be FILED by the earlier of: 9 a.m. or 1 hour before session is scheduled to convene



Amendment Deadlines: Floor Amendments

BILLS ON SPECIAL ORDER CALENDAR:

After 55th day

2 HR / 1 HR

APPROVED FOR FILING

- ❖ Main Amendments: 2 hours before session scheduled to convene
- ❖ Adhering Amendments: 1 hour before session scheduled to convene



Where to go for Help

House Bill Drafting
(850) 717-5300
1501 The Capitol

Randy Havlicak, Staff Director
Bill Welge, Deputy Staff Director
Jennifer Wilson, Administrative Lead

HOUSE BILL DRAFTING SERVICE



An office of the Florida House of Representatives